

TOWN OF LAUDERDALE-BY-THE-SEA

BOARD OF ADJUSTMENT AGENDA

Town Commission Meeting Room

Wednesday, August 20th, 2008 at 11:00 A.M.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE TO THE FLAG

III. SWEARING IN OF NEW BOARD MEMBERS

IV. APPROVAL OF MINUTES

Regular Meeting – June 18, 2008

V. NEW BUSINESS

- A. Project: To enclose an existing legally nonconforming swimming pool.
Applicant: El Mar Place Developers LLC, Property Owner, and Representative Peter Debs
Location: 4329 El Mar Drive
Request: Description of Variance request: The property owners are seeking a Variance from the provision of the Ordinance 2008-03; Section 30-313(4) to allow a fence to be constructed within 25 feet of the front property line (5 feet encroachment) to meet Section 30-313(29) requirements, to enclose the existing legally nonconforming swimming pool.
- B. Project: To enclose an existing legally nonconforming swimming pool.
Applicant: James Silverstone & Peggy Mohler
Location: 278 Miramar Avenue
Request: Description of Variance request: The property owners are seeking a Variance from the provision of the Section 30-313(4); Ordinance 2008-03 to allow a fence to be constructed within 25 feet of the front property line and within 10 feet of the public right-of-way to meet Section 30-313(29) requirements, to enclose the existing legally nonconforming Jacuzzi (swimming pool, spa), which is located within the front yard, and a Variance from the provision of the Section 30-313(29) requirements, to allow the required swimming pool enclosure (the fence) to be constructed 4 feet in height rather than 5 feet in height as required by Code.
- C. Project: To allow the existing shed, constructed without permit, to be relocated within the Right-of-way;
To allow a proposed swimming pool to be constructed within the Seaward public Right-of-way;
To allow the required swimming pool enclosure (fence) to be located within the corner yard along the property line. **As requested by the Applicant, this item will be cancelled at the August 20, 2008 BOA meeting.**

Applicant: Karen A. D'Uva
Location: 1658 West Terra Mar Drive

Request: Description of Variance request: The property owner is seeking three (3) Variances:

1. From the provision of the Section 30-211(5) and Section 30-313(31) to allow the existing illegal shed, which was constructed without permit, to be relocated and placed 5 feet and 2 inches from the ROW, rather than 15 feet as required by Code.
2. From the provision of Section 30-313(29) (b) to allow a proposed swimming pool to be constructed 3 feet and 1.5 inches from the Seaward public right-of-way (ROW), rather than 10 feet as required by the Code.
3. From the provision of the Ordinance 2008-03; Section 30-313 (4) (e), to allow the required swimming pool enclosure (fence) to be located within the corner yard, along the property line, rather than 10 feet from the public right-of-way as required by Code.

VI. UPDATES/BOARD MEMBER CONCERNS

VII. ADJOURNMENT

THE TOWN OF LAUDERDALE-BY-THE-SEA WILL FURNISH APPROPRIATE AIDS AND SERVICES NECESSARY TO AFFORD AN INDIVIDUAL AN EQUAL OPPORTUNITY TO PARTICIPATE IN MEETINGS OF THE BOARD OF ADJUSTMENTS. IN DETERMINING WHAT TYPE OF AUXILIARY AID AND SERVICE IS NECESSARY, THE TOWN OF LAUDERDALE-BY-THE-SEA, WILL GIVE PRIMARY CONSIDERATION TO THE REQUESTS OF THE INDIVIDUAL WITH DISABILITIES. PLEASE CONTACT THE TOWN CLERK AT LEAST 48 HOURS PRIOR TO THE MEETING TO MAKE ARRANGEMENTS FOR APPROPRIATE AUXILIARY AIDS. (AUXILIARY AIDS AND SERVICES, 56 FED. REG. 35721, SECTION 36.160(B)).

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD OF ADJUSTMENTS WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSES MAY NEED TO INSURE THAT A VERBATIM RECORDING OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.